UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24806
13 November 1992

ORIGINAL: ENGLISH

LETTER DATED 6 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

As you may recall, Kuwait has communicated to you as early as November 1990 (S/21961) the extent of the damage incurred in the Kuwaiti health service as a result of the inhuman practices of the Iraqi occupation forces. Furthermore, in one of the lists forwarded to you on 25 April 1991 Kuwait had indicated that a number of incubators have been seized by Iraqi authorities.

In this regard I should like to draw your attention to the attached document of items returned by the Iraqi regime on 26 August 1992 at Ar'ar, Saudi Arabia. The document lists two incubators (items 21 and 22) among the items handed over, under the supervision of the United Nations. In spite of allegations to the contrary, this list is a clear proof of the complicity of the Iraqi regime in destroying basic human services in Kuwait.

I should appreciate it if the letter and the enclosures be distributed as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative

92-72062 3543c (E) 161192

161192

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Annex

KUWAITI PROPERTY RETURNED BY THE GOVERNMENT OF THE REPUBLIC OF IRAQ

Pursuant to paragraph 2(d) of Security Council resolution 686 (1991) which demands that Iraq "immediately begin to return all Kuwaiti property seized by Iraq, to be completed in the shortest possible period", and with reference to the letter dated 19 March 1991 from the President of the Security Council to the Secretary-General concerning the modalities for return of property from Iraq to Kuwait (S/22361) as well as to paragraph 18 of Security Council resolution 687 (1991) which requests the Secretary-General "to report to the Security Council on the steps taken to facilitate the return of all Kuwaiti property seized by Iraq, including a list of any property that Kuwait claims has not been returned or which has not been returned intact", it is hereby certified that on the date of 26 August 1992 at the location of Ar'Ar, Saudi Arabia, the Government of the State of Kuwait accepted delivery of the items of property returned by the Government of the Republic of Iraq that are listed in Annex A hereto. It is acknowledged that Annex A presents a breakdown of the following in respect of each property item: (a) item, (b) truck number, (c) starting box/lot number, (d) ending box/lot number, (e) whether or not the item has been inspected by the parties and (f) if the item was inspected, whether or not the Governments of the State of Kuwait and the Republic of Iraq recorded observations pertaining to alleged loss, damage or alteration in respect of the item.

I. The parties acknowledge that the returned property has been inspected and that:

~~(1) there has been no loss, damage or alteration in respect of the property items listed in Annex A, or~~

(2) the Government of the State of Kuwait has registered, in Annex B hereto, its observations pertaining to alleged loss, damage or alteration in respect of the property items listed in Annex A

OR:

/...

II. The parties acknowledge that inspection of the returned property was not feasible and that the Government of the State of Kuwait reserves the right to submit to the United Nations, within thirty (30) days of this hand-over date, any observations pertaining to alleged loss, damage or alteration in respect to the property items listed in Annex A accompanied by a copy of this document.

Signed on, 26 August 1992.

For the Government of the
State of Kuwait

Nader Alaidan
Representative of Kuwait
Ministry of Health

For the Government of the
Republic of Iraq

Khdhayer Waheed Al-Murahidy
Representative of Iraq
Ministry of Health

IN WITNESS WHEREOF, the undersigned, being duly appointed representative of the United Nations, hereby certifies that the above signatures were affixed in my presence.

Date: 26 August 1992

Harbachan Singh
Representative of the
United Nations

Harbachan Singh
Team Leader, United Nations

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ANNEX A

KUWAITI PROPERTY RETURNED BY THE GOVERNMENT OF THE REPUBLIC OF IRAQ

Ar'Ar, Saudi Arabia
Hand-over Location

Item	Truck Number	Starting Box/Lot Number	Ending Box/Lot Number	Inspected Y/N	Observations Y/N
1	15	1	2	Y	Y
2	16	34	34	Y	Y
3	17	31	31	Y	Y
4	18	20	20	Y	Y
5	19	19	19	Y	Y
6	74	20	20	Y	Y
7	75	1	2	Y	Y
8	57	1	3	Y	Y
9	58	1	3	Y	Y
10	59	77	77	Y	Y
11	60	1	2	Y	Y
12	72	24	24	Y	Y
13	73	1	4	Y	Y
14	52	1	5	Y	Y
15	53-A	35	35	Y	Y
16	54-A	29	29	Y	Y
17	55	29	29	Y	Y
18	56	1	2	Y	Y
19	47-A	2	4	Y	Y
20	47-B	1	1	Y	Y
21	48-B	5	5	Y	Y
22	48-B	6	6	Y	Y
23	48-B	7	7	Y	Y
24	48-B	8	8	Y	Y
25	48-B	9	9	Y	Y
26	48-B	10	10	Y	Y
27	48-B	11	11	Y	Y
28	48-B	12	12	Y	Y
29	48-B	14	14	Y	Y
30	48-A	41	129	Y	Y
31	49-A	1	1	Y	Y
32	49-B	1	1	Y	Y
33	50-A	1	3	Y	Y
34	50-A	4	25	Y	Y
35	50-B	1	17	Y	Y
36	51-A	34	34	Y	Y
37	51-A	33	33	Y	Y
38	51-A	36	36	Y	Y
39	51-A	37	37	Y	Y
40	51-A	38	41	Y	Y
41	51-A	42	42	Y	Y
42	51-A	43	44	Y	Y
43	51-A	45	53	Y	Y

NOTE: The contents of box/lot numbers mentioned above are as per list attached hereto.

IN WITNESS WHEREOF, The undersigned, being duly appointed representative of the United Nations, hereby certifies that the signatures herein were affixed in my presence.

Inspected and signed on this day, 26 August 1992.

Representative of the United Nations	For the Government of the State of Kuwait	For the Government of the Republic of Iraq
Harbachan Singh		
Harbachan Singh Team Leader, United Nations	Bader Alaidan Representative of Kuwait Ministry of Health	Khdhayer Mahood Al-Murshidy Representative of Iraq Ministry of Health

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ANNEX B

KUWAITI PROPERTY RETURNED BY THE GOVERNMENT OF THE REPUBLIC OF IRAQ

The Governments of the State of Kuwait and the Republic of Iraq record hereunder their observations pertaining to alleged loss, damage or alteration in respect of the property listed in Annex A.

Item	Observations
1	TRUCK 15 : KUWAIT - LOT 1 TO 2 - ALL ITEMS ARE COMPLETELY DAMAGED WITH DUST INSIDE THE BOXES : IRAQ - LOT 1 TO 2 - ALL ITEMS IN VERY GOOD CONDITION AND USABLE AS TRANSPORTED FROM KUWAIT, NOT USED IN IRAQ : (PHOTO ATTACHED)
2	TRUCK 16: KUWAIT -ITEM 34 -ALL ITEMS ARE DAMAGED WITH BROKEN, BURTED AND MISSING PARTS : IRAQ -ITEM 34 ALL OF THESE ITEMS ARE IN NORMAL CONDITION AND USABLE, ONLY 4 ITEMS WITH PARTIAL DAMAGE AS TRANSPORTED FROM KUWAIT AND NOT USED IN IRAQ (PHOTO ATTACHE
3	TRUCK 17 : KUWAIT - ITEM 31- DAMAGED, FULL OF DUST AND EXPOSED TO HUMIDITY : IRAQ - ITEM 31 - ALL ITEMS ARE IN VERY GOOD CONDITION AND USABLE AS TRANSPORTED FROM KUWAIT, NOT USED IN IRAQ. : (PHOTO ATTACHED)
4	TRUCK 18 : KUWAIT - ITEM 28 - ITEMS DAMAGED BECAUSE NOT KEPT AT RIGHT TEMPERATURE AND NOT STORED PROPERLY : IRAQ - ITEM 28 - VERY GOOD CONDITION AND USABLE : (PHOTO ATTACHED)
5	TRUCK 19 : KUWAIT - ITEM 19 - ITEMS CANNOT BE USED AGAIN AND ARE CONTAMINATED : IRAQ - ITEM 19 - ITEMS ARE IN VERY GOOD CONDITION AND TWO BOXES WITH DAMAGED COVER. : (PHOTO ATTACHED)
6	TRUCK 74 : KUWAIT - ITEM 28 - ITEMS CANNOT BE USED AND ARE CONTAMINATED : IRAQ - ITEM 28 - ITEMS ARE IN VERY GOOD CONDITION AND USABLE : (PHOTO ATTACHED)
7	TRUCK 75 : KUWAIT - LOT 1 TO 2 - DAMAGED ITEMS, FULL WITH DUST AND LOST THEIR STERALIZATION DUE TO HIGH TEMPERATURE : IRAQ - LOT 1 TO 2 - ONLY 7 CARTONS HAVE DAMAGED COVERS BUT ITS CONTENTS ARE USABLE : (PHOTO ATTACHED)
8	TRUCK 57 : KUWAIT - LOT 1 TO 3 -ALL BOXES OPEN WITH DUST INSIDE AND ARE USELESS : IRAQ - LOT 1 TO 3 - ITEMS IN NORMAL CONDITION AS TRANSPORTED FROM KUWAIT AND NOT USED IN IRAQ.
9	TRUCK 58 : KUWAIT -LOT 1 TO 3 -ALL CHAIRS ARE BURTED, DAMAGED, BROKEN, AND TOPS ARE REMOVED. MACHINES ARE COMPLETELY DAMAGED AND TILE MACHINE IS MISSING : IRAQ -LOT 1 TO 3 -ITEM 34 IN NORMAL CONDITION; 976: 7 IN NORMAL CONDITION AND 6 PARTIALLY DAMAGED
10	TRUCK 99 : KUWAIT - ITEM 77 - ALL ITEMS ARE DAMAGED WITH BROKEN ARMS, LEGS, BURTED AND NOT CLEAN : IRAQ - ITEM 77 - ITEMS ARE IN NORMAL CONDITION AS TRANSPORTED FROM KUWAIT, THEY ARE ONLY DUSTY
11	TRUCK 60 - KUWAIT- LOT 1 TO 2 - ALL ITEMS ARE COMPLETELY DAMAGED WITH BROKEN ARMS AND RUSTY STANDS : IRAQ - LOT 1 TO 2 - FEW PIECES ARE PARTIALLY DAMAGED AS TRANSPORTED FROM KUWAIT AND NOT USED IN IRAQ
12	TRUCK 72 : KUWAIT - ITEM 34 - ALL ITEMS ARE USELESS AND WERE NOT KEPT IN COOL PLACE, OPEN BOXES AND NOT HANDLED WITH CARE : IRAQ - ITEM 34 - ALL CARTONS ARE IN NORMAL CONDITION AND NOT USED IN IRAQ
13	TRUCK 73 : KUWAIT - LOT 1 TO 4 - 60 ITEMS ARE COMPLETELY DAMAGED OF ITEM # 2 : IRAQ - LOT 1 TO 4 - 10 ITEMS ARE PARTIALLY DAMAGED AND NOT USED IN IRAQ
14	TRUCK 53 : KUWAIT - LOT 1 TO 5 - ALL ITEMS ARE USELESS, DUSTY AND CONTAMINATED : IRAQ - LOT 1 TO 5 - ITEMS ARE VERY GOOD : (PHOTO ATTACHED)
15	TRUCK 33-A : KUWAIT - ITEM 35 - ALL ITEMS ARE COMPLETELY DAMAGED, USELESS WITH WHEEL, ARMS, LOCKS AND STANDS BROKEN, ALSO MATTRESSES ARE MISSING : IRAQ - ITEM 35 - ALL ITEMS ARE VERY GOOD : (PHOTO ATTACHED)
16	TRUCK 34-A : KUWAIT - ITEM 29 - ALL ITEMS ARE COMPLETELY USELESS, DAMAGED WITH BOXES OPENED : IRAQ - ITEM 29 - ALL ITEMS ARE VERY GOOD
17	TRUCK 35 : KUWAIT - ITEM 29 - ALL ITEMS ARE COMPLETELY USELESS, DAMAGED WITH BOXES OPENED : IRAQ - ITEM 29 - ALL ITEMS ARE VERY GOOD
18	TRUCK 56 : KUWAIT - LOT 1 TO 2 - ITEMS ARE COMPLETELY DAMAGED, BROKEN WHEELS, LOCKS, RUSTY AND MISSING PARTS : IRAQ - LOT 1 TO 2 - ONLY 3 BROKEN WHEELS AND ALL OTHER ITEMS ARE VERY GOOD : (PHOTO ATTACHED)
19	TRUCK 47-A : KUWAIT - LOT 2 TO 3 - ALL ITEMS COMPLETELY DAMAGED, 4 COMPRESSOR ASSEMBLY MISSING, BROKEN LAMPS, WIRES AND TUBES ARE CUT. : IRAQ - LOT 2 TO 3 - ITEMS WERE RECEIVED USED AND DAMAGED, PRESENT STATE - PARTIALLY DAMAGED : (PHOTO ATTACHED)
20	TRUCK 47-B : KUWAIT - ITEM 1 - COMPLETELY DAMAGED WITH MISSING PARTS (CONNECTIONS, TABLES, ELECTRONIC BOARDS, COVERING AND LIGHTS) : IRAQ - ITEM 1 - ITEM TRANSPORTED FROM KUWAIT USED AND DAMAGED : (PHOTO ATTACHED)

IN WITNESS WHEREOF, The undersigned, being duly appointed representative of the United Nations, hereby certifies that the signatures herein were affixed in my presence.

signed on this day, 26 August 1992.

Representative of the United Nations	For the Government of the State of Kuwait	For the Government of the Republic of Iraq
Harbachan Singh		
Harbachan Singh	Nadar Alqidan	Khdhayer Waheed Al-Murshidy
Team Leader, United Nations	Representative of Kuwait Ministry of Health	Representative of Iraq Ministry of Health

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Annex C

Box No.	Item No.	Item or equipment name	Quantity	Model or condition	Remarks
3	1	PhOtOmicrOscOpe with transformer&expOsur timer	twO	OptOn west Germany	with each One supplie with twO tim 40, Serial NO. 466 249-9904
	2	Inverted MicrOscOpe with camera attachment	One	Zieas west Germany	Serial NO. 476100-9901
	12	Ph-meter	One	OriOn research	MOdel 701A/Digital iOnsiyzer ser Sina 49047
	15	Heater&Magnetic sterier	One	Ika COmbimac Rot	Serial number 169182
	16	PH-Meter	One	Fisher Accument U.S.A.	MOde 810 serial nO. 1577
	18	B ROta-Mixer	One	VOrtex Gende	MOdel NO. K 550 Ge. Serial nO. 1
	19	ROta Mixer	One	Retsch Mixer	NO serial number.
	27	CO_2 RegulatOr	TwO	AircO, Inc, MOntvale New	Jersey Serial number 8400
4	10	Water bath	One	GCA/PrecisiOn Scientifc U.S.A.	Serial nO. 20 AC/7 MOdel THF/CO CAT nO. 66618
	24	PhOtO Enlarger	One	VariOscOp AGPA 60 West Ger.	Type nO. A766-040 F NO. 290.
5	(21)	IncubatOr 37°C	One	GCA/PrecisiOn Gravit; COnvectiOn IncubatOr	Serial nO. 22Aj 5 CAT NO. 31511
6	25	PhOtO-Paper AutO Dryer	One	Type Mr-3 JapO	Serial nO 8902
7	20	CO_2 IncubatOr with CO_2 Cylinder & IrOn stand	One	COntrOlled EnvirOment Type PC04100 U.S.A.	Serial nO. 2-83-6062-1 MOdel 41(
8	(22)	IncubatOr 37°C	One	Lab Line,Imperial II Incu.	Serial nO. 0482 104.
1Unpacked	28	Leather Chair	six	Furniture	NO serial number
2Unpacked	30	Nalgene DispOsable Fiteware	12X3bOxes each unit as single		Nalgene COmpany NO serial NO.
1Unpacked	29	Different PhOtO Material (Paper,POwder SOlutiOn&Film.			
	A.	KOdak Fixer	BOxX20 POwder	Each unit cOntain	680gm. Cat number 197-1746
	B.	KOdak Ektamatic S-40	0 BOxX12 Liqu.	Each unit 1/4U.S.Gallon	Cat NO. 193-7283 Stabilize
	C.	KOdak DevelOper	One BOxX12&7unit Liq.	Each unit 473 ml.	Cat. NO. 140-8988
	D.	KOdak 28% Acetic Acid	3X12 Liqu.	Each unit 473 ml.	Cat. NO. 146-2829.

UNITED
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Security Council

Distr.
GENERAL

S/24807
13 November 1992

ORIGINAL: ENGLISH

LETTER DATED 12 NOVEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit, enclosed herewith, the letter by His Excellency, Mr. Milan Panic, Prime Minister of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

92-69927 3606h (E) 131192 151192.

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Annex

11 November 1992

The Government of the Federal Republic of Yugoslavia, aware of the serious and complex nature of problems existing in the Autonomous Province of Kosovo and Metohija, has given highest priority to the efforts to solve them. In that respect, I have made personal efforts, including two visits to Kosovo and Metohija, when I talked with representatives of the local authorities and citizens in that region. Particularly important was my meeting with the Albanian minority leader, Mr. Rugova. I visited Kosovo and Metohija for the second time with the Co-Chairmen of the Conference on Yugoslavia, Mr. Cyrus Vance and Lord Owen. Their intermittent efforts are extremely important in the process of addressing the current problems. I would like to stress here that my approach to this process does not differ from the one espoused by the two Co-Chairmen. It is based on the following points:

- Kosovo and Metohija is a part of Serbia and Yugoslavia and the solution of problems there should proceed from full respect for the integrity of the territory of the Federal Republic of Yugoslavia and inviolability of its borders;

- Kosovo and Metohija should have its autonomy within the Republic of Serbia;

- Solutions will be sought in dialogue, peacefully and step by step, by taking up specific problems and without conditions;

The Conference on Yugoslavia, and its Special Group on Kosovo in particular, whose members have visited the Province more than once, will continue to address the problems identified there.

Under the Memorandum recently signed by the FR of Yugoslavia and the CSCE, a CSCE mission is now in Kosovo and Metohija in order to facilitate the initiated dialogue and help create conditions for full exercise of the rights of all ethnic minorities and citizens of Kosovo and Metohija.

There has been some progress in the discussions held so far between representatives of the Government of Yugoslavia, Government of Serbia, local authorities of Kosovo and Metohija and Albanian representatives, especially regarding all schools and educational institutions working on a regular basis, which can be expected to happen by the end of this month.

I would like to recall the report of the CSCE mission which visited Kosovo and Metohija last June, stating that it had noticed no unusual military activities other than small-scale routine transport ones, and that no military activities had been undertaken against the people of Kosovo and Metohija. The Special Rapporteur of the United Nations Commission on Human Rights,

Mr. Tadeusz Mazowiecky, also adopted a positive attitude towards the initiatives my Government has taken to improve the situation in Kosovo.

The main obstacle to the stabilization of the situation and the reaching of a solution in Kosovo is the policy of secession pursued over a longer period by the leaders of many Albanian political parties.

The requests contained in the letter of Albanian Prime Minister Meksi sent to the President of the United Nations Security Council on 29 October 1992, to place observers along the internal administrative border between the Autonomous Province of Kosovo and Metohija and the remaining territory of the Republic of Serbia; to withdraw the Army of Yugoslavia from Kosovo and Metohija and establish a no-fly zone over the part of the territory of the FR of Yugoslavia which includes Kosovo are all aimed at laying the groundwork for Kosovo's secession. Ironically, all these measures are described as "preventive means", while they essentially pose a threat not only to the process of political dialogue embarked upon in Kosovo, but also to peace in the entire region.

Continuation of such a policy by Albania and attempts to undermine the territorial integrity of Yugoslavia constitute a real danger to, and undercut the efforts of my Government, which are supported by the international community, to bring about a peaceful solution acceptable for all citizens of Yugoslavia, including those of Albanian origin.

The Government of the FR of Yugoslavia is making efforts to promote its cooperation with all neighbours, which was why I also visited Albania on 10 August 1992.

I put forward to the Albanian Prime Minister A. Meksi a number of proposals concerning the promotion of economic and other cooperation between the two countries, including the opening of borders and joint ventures in the economic area. I was surprised that all my proposals were refused.

In conclusion, I would like to reiterate, Mr. President, that my Government will continue its policy of peace as well as efforts aimed at the realization of all human rights for all citizens of Yugoslavia. In doing so, we will pay special attention to the status of the Albanian minority in Kosovo.

(Signed) Milan PANIĆ

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Security Council

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S/24808
13 November 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Belgium, France, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming its determination that the situation in Bosnia and Herzegovina constitutes a threat to the peace, and reaffirming that the provision of humanitarian assistance in Bosnia and Herzegovina is an important element in the Council's effort to restore peace and security in the region,

Reaffirming also its full support for the International Conference on the Former Yugoslavia as the framework within which an overall political settlement of the crisis in the former Yugoslavia may be achieved, and for the work of the Co-Chairmen of the Steering Committee of the Conference,

Recalling the decision by the International Conference on the Former Yugoslavia to examine the possibility of promoting safe areas for humanitarian purposes,

Recalling the commitments entered into by the parties and others concerned within the framework of the International Conference on the Former Yugoslavia,

Reiterating its call on all parties and others concerned to cooperate fully with the Co-Chairmen of the Steering Committee,

Noting the progress made so far within the framework of the International Conference, including the Joint Declarations signed in Geneva on 30 September 1992 (S/24476) and 20 October 1992 (S/24704) by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro); the Joint Statement made in Geneva on 20 October 1992 (S/24702) by the Presidents of the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro); the Joint Communiqué issued on

1 November 1992 in Zagreb by the Presidents of the Republic of Croatia and the Republic of Bosnia and Herzegovina (S/24748); the establishment of the Mixed Military Working Group in Bosnia and Herzegovina; and the production of a draft outline constitution for Bosnia and Herzegovina (S/24795),

Noting with grave concern the report of the Special Rapporteur appointed following a special session of the Commission on Human Rights to investigate the human rights situation in the former Yugoslavia, which makes clear that massive and systematic violations of human rights and grave violations of international humanitarian law continue in Bosnia and Herzegovina,

Welcoming the deployment of additional elements of the United Nations Protection Force (UNPROFOR) for the protection of humanitarian activities in Bosnia and Herzegovina in accordance with resolution 776 (1992),

Deeply concerned about reports of continuing violations of the embargo imposed by its resolutions 713 (1991) and 724 (1991),

Deeply concerned also about reports of violations of the measures imposed by its resolution 757 (1992),

1. Calls upon the parties in Bosnia and Herzegovina to consider the draft outline constitution as a basis for negotiating a political settlement of the conflict in that country and to continue negotiations for constitutional arrangements on the basis of the draft outline, under the auspices of the Co-Chairmen of the Steering Committee, these negotiations to be held in continuous and uninterrupted session;

2. Reaffirms that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and unacceptable, and will not be permitted to affect the outcome of the negotiations on constitutional arrangements for Bosnia and Herzegovina, and insists that all displaced persons be enabled to return in peace to their former homes;

3. Strongly reaffirms its call on all parties and others concerned to respect strictly the territorial integrity of Bosnia and Herzegovina, and affirms that any entities unilaterally declared or arrangements imposed in contravention thereof will not be accepted;

4. Condemns the refusal of all parties in Bosnia and Herzegovina, in particular the Bosnian Serb paramilitary forces, to comply with its previous resolutions and demands that they and all other concerned parties in the former Yugoslavia fulfil immediately their obligations under those resolutions;

5. Demands that all forms of interference from outside Bosnia and Herzegovina, including infiltration into the country of irregular units and personnel, cease immediately and reaffirms its determination to take measures against all parties and others concerned which fail to fulfil the requirements

of resolution 752 (1992) and its other relevant resolutions, including the requirement that all forces, in particular elements of the Croatian army, be withdrawn, or be subject to the authority of the Government of Bosnia and Herzegovina, or be disbanded or disarmed;

6. Calls upon all parties in Bosnia and Herzegovina to fulfil their commitments to put into effect an immediate cessation of hostilities and to negotiate in the Mixed Military Working Group, continuously and in uninterrupted session, to end the blockades of Sarajevo and other towns and to demilitarize them, with heavy weapons under international supervision;

7. Condemns all violations of international humanitarian law, including in particular the practice of "ethnic cleansing" and the deliberate impeding of the delivery of food and medical supplies to the civilian population of Bosnia and Herzegovina, and reaffirms that those that commit or order the commission of such acts will be held individually responsible in respect of such acts;

8. Welcomes the establishment of the Commission of Experts provided for in paragraph 2 of resolution 780 (1992) and requests the Commission to pursue actively its investigations with regard to grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia, in particular the practice of "ethnic cleansing";

9. Decides, acting under Chapter VII of the Charter of the United Nations, in order to ensure that commodities and products transshipped through the Federal Republic of Yugoslavia (Serbia and Montenegro) are not diverted in violation of resolution 757 (1992), to prohibit the transshipment of crude oil, petroleum products, coal, energy-related equipment, iron, steel, other metals, chemicals, rubber, tyres, vehicles, aircraft and motors of all types unless such transshipment is specifically authorized on a case-by-case basis by the Committee established by resolution 724 (1992) under its no-objection procedure;

10. Further decides, acting under Chapter VII of the Charter of the United Nations, that any vessel in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be considered, for the purpose of implementation of the relevant resolutions of the Security Council, a vessel of the Federal Republic of Yugoslavia (Serbia and Montenegro) regardless of the flag under which the vessel sails;

11. Calls upon all States to take all necessary steps to ensure that none of their exports are diverted to the Federal Republic of Yugoslavia (Serbia and Montenegro) in violation of resolution 757 (1992);

12. Acting under Chapters VII and VIII of the Charter of the United Nations, calls upon States, acting nationally or through regional agencies or arrangements, to use such measures commensurate with the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992);

13. Commends the efforts of those riparian States which are acting to ensure compliance with resolutions 713 (1991) and 757 (1992) with respect to shipments on the Danube and reaffirms the responsibility of riparian States to take necessary measures to ensure that shipping on the Danube is in accordance with resolutions 713 (1991) and 757 (1992), including such measures commensurate with the specific circumstances as may be necessary to halt such shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992);

14. Requests the States concerned, nationally or through regional agencies or arrangements, to coordinate with the Secretary-General the submission of reports to the Security Council regarding actions taken in pursuance of paragraphs 12 and 13 of this resolution to facilitate the monitoring of the implementation of this resolution;

15. Requests all States to provide in accordance with the Charter of the United Nations such assistance as may be required by those States acting nationally or through regional agencies and arrangements in pursuance of paragraphs 12 and 13 of this resolution;

16. Considers that, in order to facilitate the implementation of the relevant Security Council resolutions, observers should be deployed on the borders of Bosnia and Herzegovina and requests the Secretary-General to present to the Council as soon as possible his recommendations on this matter;

17. Calls upon all international donors to contribute to the humanitarian relief efforts in former Yugoslavia, to support the United Nations Consolidated Inter-Agency Programme of Action and Appeal for the former Yugoslavia, and to speed up the delivery of assistance under existing pledges;

18. Calls upon all parties and others concerned to cooperate fully with the humanitarian agencies and with the United Nations Protection Force (UNPROFOR) to ensure the safe delivery of humanitarian assistance to those in need of it, and reiterates its demand that all parties and others concerned take the necessary measures to ensure the safety of United Nations and other personnel engaged in the delivery of humanitarian assistance;

19. Invites the Secretary-General, in consultation with the United Nations High Commissioner for Refugees and other relevant international humanitarian agencies, to study the possibility of and the requirements for the promotion of safe areas for humanitarian purposes;

20. Expresses its appreciation for the report presented to the Council by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and requests the Secretary-General to continue to keep the Council regularly informed of developments and of the work of the Conference;

21. Decides to remain actively seized of the matter until a peaceful solution is achieved.

UNITED
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Security Council

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S/24808/Rev.1
16 November 1992
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Belgium, France, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming its determination that the situation in the Republic of Bosnia and Herzegovina constitutes a threat to the peace, and reaffirming that the provision of humanitarian assistance in the Republic of Bosnia and Herzegovina is an important element in the Security Council's effort to restore peace and security in the region,

Deeply concerned at the threats to the territorial integrity of the Republic of Bosnia and Herzegovina, which, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Reaffirming also its full support for the International Conference on the Former Yugoslavia as the framework within which an overall political settlement of the crisis in the former Yugoslavia may be achieved, and for the work of the Co-Chairmen of the Steering Committee of the Conference,

Recalling the decision by the International Conference on the Former Yugoslavia to examine the possibility of promoting safe areas for humanitarian purposes,

Recalling the commitments entered into by the parties and others concerned within the framework of the International Conference on the Former Yugoslavia,

Reiterating its call on all parties and others concerned to cooperate fully with the Co-Chairmen of the Steering Committee,

Noting the progress made so far within the framework of the International Conference, including the Joint Declarations signed at Geneva on

30 September 1992 1/ and 20 October 1992 2/ by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro); the Joint Statement made at Geneva on 19 October 1992 by the Presidents of the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro); 3/ the Joint Communiqué issued on 1 November 1992 at Zagreb by the Presidents of the Republic of Croatia and the Republic of Bosnia and Herzegovina; 4/ the establishment of the Mixed Military Working Group in the Republic of Bosnia and Herzegovina; and the production of a draft outline constitution for the Republic of Bosnia and Herzegovina, 5/

Noting with grave concern the report of the Special Rapporteur appointed following a special session of the Commission on Human Rights to investigate the human rights situation in the former Yugoslavia, which makes clear that massive and systematic violations of human rights and grave violations of international humanitarian law continue in the Republic of Bosnia and Herzegovina,

Welcoming the deployment of additional elements of the United Nations Protection Force for the protection of humanitarian activities in the Republic of Bosnia and Herzegovina, in accordance with its resolution 776 (1992) of 14 September 1992,

Deeply concerned about reports of continuing violations of the embargo imposed by its resolutions 713 (1991) and 724 (1991) of 15 December 1991,

Deeply concerned also about reports of violations of the measures imposed by its resolution 757 (1992) of 30 May 1992,

1. Calls upon the parties in the Republic of Bosnia and Herzegovina to consider the draft outline constitution as a basis for negotiating a political settlement of the conflict in that country and to continue negotiations for constitutional arrangements on the basis of the draft outline, under the auspices of the Co-Chairmen of the Steering Committee, these negotiations to be held in continuous and uninterrupted session;

2. Reaffirms that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and unacceptable, and will not be permitted to affect the outcome of the negotiations on constitutional arrangements for the

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1/ S/24476, annex.

2/ S/24704, annex.

3/ S/24702, annex.

4/ S/24748, annex.

5/ S/24795, annex VII.

Republic of Bosnia and Herzegovina, and insists that all displaced persons be enabled to return in peace to their former homes;

3. Strongly reaffirms its call on all parties and others concerned to respect strictly the territorial integrity of the Republic of Bosnia and Herzegovina, and affirms that any entities unilaterally declared or arrangements imposed in contravention thereof will not be accepted;

4. Condemns the refusal of all parties in the Republic of Bosnia and Herzegovina, in particular the Bosnian Serb paramilitary forces, to comply with its previous resolutions, and demands that they and all other concerned parties in the former Yugoslavia fulfil immediately their obligations under those resolutions;

5. Demands that all forms of interference from outside the Republic of Bosnia and Herzegovina, including infiltration into the country of irregular units and personnel, cease immediately, and reaffirms its determination to take measures against all parties and others concerned which fail to fulfil the requirements of resolution 752 (1992) and its other relevant resolutions, including the requirement that all forces, in particular elements of the Croatian army, be withdrawn, or be subject to the authority of the Government of the Republic of Bosnia and Herzegovina, or be disbanded or disarmed;

6. Calls upon all parties in the Republic of Bosnia and Herzegovina to fulfil their commitments to put into effect an immediate cessation of hostilities and to negotiate in the Mixed Military Working Group, continuously and in uninterrupted session, to end the blockades of Sarajevo and other towns and to demilitarize them, with heavy weapons under international supervision;

7. Condemns all violations of international humanitarian law, including in particular the practice of "ethnic cleansing" and the deliberate impeding of the delivery of food and medical supplies to the civilian population of the Republic of Bosnia and Herzegovina, and reaffirms that those that commit or order the commission of such acts will be held individually responsible in respect of such acts;

8. Welcomes the establishment of the Commission of Experts provided for in paragraph 2 of its resolution 780 (1992) of 6 October 1992, and requests the Commission to pursue actively its investigations with regard to grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia, in particular the practice of "ethnic cleansing";

9. Decides, acting under Chapter VII of the Charter of the United Nations, in order to ensure that commodities and products transshipped through the Federal Republic of Yugoslavia (Serbia and Montenegro) are not diverted in violation of resolution 757 (1992), to prohibit the transshipment of crude oil, petroleum products, coal, energy-related equipment, iron, steel, other metals, chemicals, rubber, tyres, vehicles, aircraft and motors of all types unless such transshipment is specifically authorized on a case-by-case basis

by the Committee established by resolution 724 (1991) under its no-objection procedure;

10. Further decides, acting under Chapter VII of the Charter of the United Nations, that any vessel in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be considered, for the purpose of implementation of the relevant resolutions of the Security Council, a vessel of the Federal Republic of Yugoslavia (Serbia and Montenegro) regardless of the flag under which the vessel sails;

11. Calls upon all States to take all necessary steps to ensure that none of their exports are diverted to the Federal Republic of Yugoslavia (Serbia and Montenegro) in violation of resolution 757 (1992);

12. Acting under Chapters VII and VIII of the Charter of the United Nations, calls upon States, acting nationally or through regional agencies or arrangements, to use such measures commensurate with the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992);

13. Commends the efforts of those riparian States which are acting to ensure compliance with resolutions 713 (1991) and 757 (1992) with respect to shipments on the Danube, and reaffirms the responsibility of riparian States to take necessary measures to ensure that shipping on the Danube is in accordance with resolutions 713 (1991) and 757 (1992), including such measures commensurate with the specific circumstances as may be necessary to halt such shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992);

14. Requests the States concerned, nationally or through regional agencies or arrangements, to coordinate with the Secretary-General inter alia on the submission of reports to the Security Council regarding actions taken in pursuance of paragraphs 12 and 13 of the present resolution to facilitate the monitoring of the implementation of the present resolution;

15. Requests all States to provide in accordance with the Charter of the United Nations such assistance as may be required by those States acting nationally or through regional agencies and arrangements in pursuance of paragraphs 12 and 13 of the present resolution;

16. Considers that, in order to facilitate the implementation of the relevant Security Council resolutions, observers should be deployed on the borders of the Republic of Bosnia and Herzegovina, and requests the Secretary-General to present to the Council as soon as possible his recommendations on this matter;

17. Calls upon all international donors to contribute to the humanitarian relief efforts in the former Yugoslavia, to support the United Nations Consolidated Inter-Agency Programme of Action and Appeal for the former Yugoslavia and to speed up the delivery of assistance under existing pledges;

18. Calls upon all parties and others concerned to cooperate fully with the humanitarian agencies and with the United Nations Protection Force to ensure the safe delivery of humanitarian assistance to those in need of it, and reiterates its demand that all parties and others concerned take the necessary measures to ensure the safety of United Nations and other personnel engaged in the delivery of humanitarian assistance;

19. Invites the Secretary-General, in consultation with the United Nations High Commissioner for Refugees and other relevant international humanitarian agencies, to study the possibility of and the requirements for the promotion of safe areas for humanitarian purposes;

20. Expresses its appreciation for the report presented to the Council by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, and requests the Secretary-General to continue to keep the Council regularly informed of developments and of the work of the Conference;

21. Decides to remain actively seized of the matter until a peaceful solution is achieved.